

REMARKS

Claims 1-27 are pending. No new matter is presented.

Claims 15-27 Allowed

Applicants respectfully acknowledge the indication by the Examiner that Claims 15-27 are allowed.

Claims 8-10 Allowable

Applicants respectfully acknowledge the indication by the Examiner that Claims 8-10, although objected to for being dependent upon a rejected base claim, would be allowable if rewritten in independent form, including all of the features of the base claim and any intervening claims.

Claims 1-27 Recite Patentable Subject Matter

Claims 1, 5-7 and 11-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Number 6,659,518 to Ponsonnaille et al. (hereinafter "Ponsonnaille"). Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being anticipated by Ponsonnaille and further in view of the well known prior art. Applicants respectfully traverse each of the rejections for being improperly based on a reference that is not prior art.

In particular, Applicants respectfully point out the instant application was filed in the United States Patent Office on February 28, 2002. Ponsonnaille, the primary reference in both of the above-listed rejections, was filed in the United States Patent Office on August 27, 2002, i.e., six (6) months after the instant application was filed. As such, Applicants respectfully submit Ponsonnaille does not qualify as prior art and cannot be cited as the basis for rejecting any of the claims recited in the instant

application. Moreover, Applicants respectfully point out that the August 28, 2001 filing date of the French Priority document listed on Ponsonnaille is irrelevant for purposes of the above-listed §102(e) rejections.

On August 2, 2004, Applicants representative contacted the Examiner by telephone and noted the identical reference was cited as the primary reference in all of the rejections rejecting the pending claims in an Office Action dated January 2, 2004, and that Applicants traversed the rejections in a Response filed February 10, 2004 for the same reason, i.e., Ponsonnaille is not prior art.

Accordingly, Applicants respectfully submit each of the above-listed rejections be withdrawn for being based on an improperly cited reference, i.e., Ponsonnaille, that is not prior art.

Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections and objection, allowance of Claims 1-27, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 105450-00009.**

Respectfully submitted,
ARENT FOX PLLC

A handwritten signature in black ink, appearing to read 'MOZGU', is written over the printed name of the attorney.

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